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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **KATUMARU, Masakazu, et al.**

Group Art Unit: **3676**

Serial No.: **10/727,560**

Examiner: **A. K. PICKARD**

Filed: **December 5, 2003**

P.T.O. Confirmation No.: **8006**

For: **COMBINED OIL RING**

RESPONSE UNDER 37 CFR §1.116
- EXPEDITED RESPONSE -
GROUP ART UNIT 3676

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 20, 2005

Sir:

In response to the Final Office Action dated **July 26, 2005**, Applicants respectfully request reconsideration of the 35 U.S.C. § 102(b) rejection of claim 1 as anticipated by Japanese Patent 2000-320672 (hereinafter "**JP '672**"); the 35 U.S.C. § 102(b) rejection of claims 1-4 as unpatentable over **JP '672** in view of U.S. Patent 2,712,971 to Phillips (hereinafter "**Phillips**"); and the 35 U.S.C. § 103(a) rejection of claims 2, 3, 5 and 6 as unpatentable over **Phillips**.

JP '672 discloses an oil control piston ring having upper and lower rails 3, 4, in which the outer circumference 5, 6 of each of the rails 3, 4 appears to have a constant, non-decreasing and non-increasing radial rail width at the end, as shown in FIG. 3.

This is in contrast to the present invention in which the curved surface for the upper rail has a radial rail width which decreases from the lower end of the upper rail, and the curved surface from the lower rail has a radial rail width which decreases from the upper end of the lower rail.

In other words, JP '672 discloses an oil control piston ring having upper and lower rails (3, 4), in which the outer circumference of each of the rails (3, 4) appears to have a conventional barrel curved surface. JP '672 does not disclose the upper rail and the lower rail recited in claim 1 of the present invention.

Phillips shows, in FIG. 5, a uniform radial rail width at 16, which is in contrast to the present invention in which the radial rail width does not remain constant.

Thus, Phillips, like JP '672, discloses a piston ring assembly having upper and lower rails (11, 11), in which the outer circumferential surface (14, 16) of each of the rails (11, 11) has a conventional barrel curved surface.

Phillips fails to teach, mention or suggest the limitations of claim 1, from which these claims depend.

In view of the aforementioned remarks, claims 1-6 are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

U.S. Patent Application Serial No. 10/727,560
Response to Office Action dated July 26, 2005

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP

William L. Brooks

William L. Brooks

Attorney for Applicant

Reg. No. 34,129

WLB/ak

Atty. Docket No. 031305

Suite 1000

1725 K Street, N.W.

Washington, D.C. 20006

(202) 659-2930



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